

REMARKS

As of the mailing date of the Office Action dated December 12, 2007, claims 22 and 23 were pending and under examination. Reconsideration of the instant application is respectfully requested in view of the following remarks.

***Double Patenting***

Claims 22 and 23 are rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1, 2 and 11-18 of U.S. Patent No. 6,905,874. Claims 22 and 23 are provisionally rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claim 12 of copending Application No. 10/187,467.

Applicants respectfully traverse this ground for rejection and submit that these references do not teach or suggest in the claims the methods for activating and expanding regulatory T cells as recited in the instantly claimed methods. Nevertheless, as term of the present patent will not be affected, and without acquiescing to the ground of rejection, Applicants submit herewith an executed terminal disclaimer thereby obviating this ground for rejection.

Applicants respectfully submit that all of the claims remaining in the application are now believed to be in condition for allowance. Favorable consideration and a Notice of Allowance are earnestly solicited.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,  
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Enclosure:  
Terminal Disclaimers

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